

PUBLIC NOTICE



U.S. ARMY CORPS
OF ENGINEERS
OMAHA DISTRICT

APPLICANT: NCM, LLC
APPLICATION NO: NWO-2014-2807-PIE
WATERWAY: UNNAMED WETLANDS
ISSUE DATE: APRIL 14, 2015
EXPIRATION DATE: MAY 12, 2015

Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

30-DAY NOTICE

NOTICE OF UMBRELLA WETLAND MITIGATION BANK PROSPECTUS PENDING

US ARMY CORPS OF ENGINEERS

The District Engineer has received a wetland banking prospectus from North Central Mitigation, LLC titled, "*North Central Mitigation State-Wide Umbrella Mitigation Bank - Prospectus*" here on referred to as the Prospectus. The Corps is soliciting comments on the Prospectus.

SPONSOR: North Central Mitigation - LLC, 4312 West 58th Street, #315, Sioux Falls, South Dakota 57108.

The Sponsor has proposed to establish an umbrella mitigation banking instrument which would guide the establishment of wetland mitigation banks within the state of South Dakota. The Prospectus provides an overview of the proposed umbrella mitigation bank and details of a specific wetland mitigation bank site. The Prospectus will be evaluated according to the Corps "Mitigation Rule", 33 CFR 332, Compensatory Mitigation for Losses of Aquatic Resources. If the Prospectus is determined to be sufficient, the Sponsor may proceed with the development of a banking instrument.

The Sponsor proposes to develop wetland bank sites in sixteen geographic service areas. Geographic service areas are based on watershed boundaries and eco-region classification. The Sponsor intends to develop individual mitigation bank(s) within the proposed geographical service areas as dictated by estimated

mitigation demand and the availability of sites suitable for the development of a mitigation bank. At this time the Sponsor has provided summary information for a proposed mitigation bank in the Lower Big Sioux River Service Area. Details of the proposed mitigation bank are provided in the Prospectus which can be view at:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota/PublicNotices.aspx>.

If the Prospectus is approved the Sponsor may begin development of an umbrella banking instrument and individual bank site plan. The decision to authorize the Sponsor to proceed with the development of an umbrella banking instrument will be based on the District Engineer's determination of the potential of the Prospectus to provide compensatory mitigation for activities authorized by Department of the Army permits. This determination will include a review of the bank objectives, the suitability of the service areas of individual banks, the need for mitigation, the long-term management proposal for banking sites, and qualifications of the Sponsor to manage an umbrella banking instrument.

The Corps of Engineers is soliciting comments from the public in order to evaluate the merit of the proposed Prospectus. Any comments received will be considered by the Corps of Engineers to determine whether to approve, modify, or deny this request by the Sponsor to develop a wetland banking instrument. To make this decision, comments will be used to assess the likelihood that the Prospectus will provide appropriate compensatory mitigation for activities authorized under Corps permits.

Because the Prospectus only deals with the development of a procedural document, no work within any aquatic resource is being proposed at this time. Due to the absences of any physical work, the District Engineer has determined that there is no likelihood for the proposed banking instrument to impact properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. Similarly because this action will not involve physical work, the action will have "No Effect" on any species listed under the Endangered Species Act.

Any interested party (particularly officials of any town, city, county, state, Federal agency, Indian Tribe, or local association whose interests may be affected by the proposed action) is invited to submit to this office, written facts, arguments, or objections

on or before May 12, 2015. Any agency or individual having an objection to the proposed action should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to this public notice should be addressed to, US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 118, Pierre, South Dakota 57501. Nathan M. Morey, telephone number (605) 224-8531, may be contacted for additional information.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.